

SIKKIM



GOVERNMENT

GAZETTE

**EXTRAORDINARY
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Gangtok

Monday 29th May, 2017

No. 201

**GOVERNMENT OF SIKKIM
DEPARTMENT OF FOREST, ENVIRONMENT & WILDLIFE MANAGEMENT
GANGTOK**

NO. GOS/FEWMD/PR.SECY-cum-PCCF/21

Dated: 29/5/2017

NOTIFICATION

WHEREAS, Sikkim has had an age-old tradition of forging brotherhood relationship with trees, a cultural practice that establishes nature conservation as a way of life for the people;

AND WHEREAS, it is considered necessary and expedient to revive this practice in order to create a sense of responsibility in people towards caring and nurturing trees and plants;

NOW THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (2) of section 83 of the Sikkim Forests, Water Courses and Road Reserve (Preservation and Protection) Act, 1988 (6 of 1988), the State Government hereby makes the following rules, namely:-

Short title, extent and commencement

1. (1) These rules may be called the Sikkim Forest Trees (Amity and Reverence) Rules, 2017.
- (2) They shall extend to the whole of Sikkim.
- (3) They shall come into force at once.

Definition

2. In these rules, unless the context otherwise requires-
 - (a) "Act" means the Sikkim Forests, Water Courses and Road Reserve (Preservation and Protection) Act, 1988;
 - (b) "Assistant Conservator of Forests" means an officer of that designation having jurisdiction over the land where a tree is to be registered under these rules;
 - (c) "Government" means the State Government of Sikkim;
 - (d) "Mitini relationship" means forging of a relationship with and regarding of a tree as a brother by a woman;
 - (e) "Mith/Mit relationship" means forging of a relationship with and regarding of a tree as a brother by a man;
 - (f) "private land" means a land shown as belonging to an individual in the cadastral records of the State;
 - (g) "public land" includes any government or community land.

State Government to allow persons to associate with trees.

3. The State Government shall allow any person to associate with trees standing on his or her private land or on any public land:-
- (i) by entering into a *Mith/Mitor Mitini* relationship with a tree in which case the tree shall be called a Mith/Mit tree, or
 - (ii) by adopting a tree as if it was his or her own child in which case the tree shall be called an adopted tree, or
 - (iii) by preserving a tree in remembrance of a departed relative in which case the tree shall be called a smriti tree:

Provided that if a tree standing on private land is not under the ownership of the person who wishes to enter into any relationship as mentioned in clauses (i) to (iii) above, the person shall execute an agreement with the owner in Form 1 and compensate him or her fully in terms of the market value of the timber or wood that is contained in it:

Provided further that if a person desires to enter into a relationship with a tree located on public land then the permission of the owner in Form 2 shall be taken.

Persons to apply for the purpose of rule 3

4. Any person who desires to associate with a tree as provided in rule 3 shall apply in Form 3 to the Assistant Conservator of Forests.

Procedure for verification of proposed tree

5. The Assistant Conservator of Forests shall verify the tree applied for in Form 3 through his subordinate officials after obtaining its details in Form 4.

Forest Department to register trees

6. The Assistant Conservator of Forests shall, after verification and finding to his satisfaction that the proposed tree is available for registration as a mith/mit or mitini, adopted or smriti tree under these rules, provide a date for the applicant to perform any ritual as may be considered necessary by him and then make an entry in a register which shall conform to the format provided in Form 5 and issue a certificate to the person in Form 6.

Tree registered under these rules not to be felled or damaged

7. No person shall fell or damage a tree registered as mith/mit or mitini, adopted or smriti tree under these rules except with the approval of the Government which shall normally not be given except if it is posing danger as provided under the Sikkim Forests Private and Other Non-Forest Land Tree Felling Rules, 2006.

Penalty for violation of these rules

8. Felling of a tree registered under these rules in violation of the provisions of these rules shall be treated as a forest offence and will be punishable as provided under the Act.

**Dr. Thomas Chandy, IFS
Principal Secretary-cum-PCCF**

FORM – 1
(See rule 3)

AGREEMENT

I, _____, S/o/ D/o W/o
_____ resident of _____,
_____ (Address) do hereby undertake this
solemn oath of *Adopting* / forging "*Mith/Mit*" / "*Mitini*"/ "*Smriti*" bond with the _____
_____ (Species) tree of girth _____, situated at (GPS
coordinates) _____ E, _____ N, _____ elevation in the
Private holding of _____ vide plot no.
_____ under _____ Block, on this
_____ day of _____ month of _____
year on payment to him/her a sum of Rs. _____
(Rupees _____) to compensate
the market value for the same.

I further undertake that I shall protect and preserve this tree and shall not allow any harm to be
caused upon it.

Dated:

(Signature of Land Owner)

(Signature of the Applicant)

Witness:

FORM – 2
(See rule 3)

PERMISSION

We, _____ (name of the
institution/Department/agency which owns the land) do hereby agree to allow the
_____ tree having girth _____
located at plot no. _____ with GPS Coordinates _____ E, _____ N
to _____ (name of person interested to enter
into relationship with tree) to enter into a Mith/Mit/Mitinirelationship with it or to adopt the tree.

Seal

**In-charge of
Institution/Department/Agency**

Date:

Form - 3

(See rule 4)

APPLICATION FOR FORGING BOND WITH OR ADOPTION OF TREE

To,

The Assistant Conservator of Forest,
_____ Subdivision,
Forest, Environment & Wildlife Management Department,
Government of Sikkim,
_____ Sikkim.

Dated: _____

Sir/Madam,

I/We are interested in adopting the tree / forging bond with the tree with details as given under:

1. Name of applicant _____
2. Father's/Husband's Name _____
3. Address _____

4. Location of the tree to be adopted (if known)

5. Number of trees & species _____
6. Reason for adoption / Type of Bond to be forged _____

I/We agree to abide by the rules and regulations in this regard.

SIGNATURE OF APPLICANT

FORM – 4
(See rule 5)



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TREE ADOPTION ASSESMENT FORM

1	Name & Address of the Applicant	
2	Territorial Range/Division	
3	Revenue Block	
4	Status of Land	
5	Plot/Khatyian No.	
6	Date of Initial Assessment	
7	Tree Details	
a	Species (Local Name)	
b	Species (Scientific Name)	
c	Girth at Breast Height	
d	Approx. height	
e	Approx age	
8	Any Other Remarks	
9	Date of Assessment after 5 years	
a	Girth at Breast Height	
b	Approx. height	

* Photograph of the tree to be enclosed.

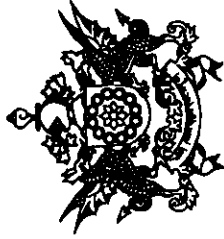
Recorded By :
Name :
Designation :

Applicants Signature

Counter Signature:

[illegible]

FORM - 6
(See rule 6)



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Certificate

This is to certify that _____ (name of the person) has entered into
the solemn bond of Mith/Mit/Mitini with or adopted the _____ tree of
_____ girth located on plot no. _____ with GPS coordinates
_____ E, _____ N on this _____ day of
_____ month of _____ year.

The Department of Forest, Environment & Wildlife Management, Government of Sikkim acknowledges
his/her efforts towards nature conservancy.

PCCF-cum-Pr. Secretary
Forest, Env. & Wildlife Management Department